FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

Misc. Civil Application No. 255/2007
(M/s Harihar Housing Agency Pvt. Ltd., Nagpur Thr. Its Director Manish Arvind Badiyani **VERSUS** Adv. Madhav Narayanrao Ingley & 4 others **)**

Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders	Court's or Judge's orders

Mr. Kothari, counsel for the appellant.
Mrs. Awachat, counsel for the respondent.

CORAM : Smt. Vasanti A. Naik, J.
DATE : 26th September, 2007.

Heard the learned counsel for the parties.

By this civil application, the applicant seeks the appointment of an arbitrator to adjudicate upon the dispute arising out of the agreement of development and sale dated 21.10.2005. It is submitted on behalf of the respondents that the respondents have no objection if an arbitrator is appointed to adjudicate upon the dispute between the parties.

Today, the parties have presented a pursis in this Court which is accepted on record and marked as Exh.Z. By the aforesaid pursis, the parties propose the name of Mr.W.G. Charde, retired District Judge as Arbitrator for deciding the dispute between the parties. The pursis is signed by the counsel for the applicant as well as the counsel for the non-applicant.

In view of the pursis at Exh.Z, I hereby appoint Mr. W.G. Charde as Arbitrator under the

provisions of Section 11 of the Arbitration and Conciliation Act of 1996 for deciding the dispute, arising out of an agreement for development and sale dated 21.10.2005, between the parties. The applicant is directed to deposit an amount of Rs.10,000/- towards processing fees within a period of one week from today.

In view of the pursis dated 26.09.2007 and in view of the appointment of an arbitrator to adjudicate upon a dispute between the parties, the prayer made in the miscellaneous civil application is granted. The miscellaneous civil application is allowed and disposed of.

JUDGE

APTE